

Appl. No. 10/740,260
Docket No. 9476
Amdt. dated January 5, 2007
Reply to Office Action mailed on Oct. 23, 2006
Customer No. 27752

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REMARKS

Claim Status

Claims 1, 6, 11, 13 and 22 have been amended to define the claimed invention with greater specificity.

Claims 1, 11 and 22 have been amended to recite that the claimed method comprises a step of redistributing at least some of the synthetic fibers. Support for these amendments is found throughout the Specification, especially at page 17, lines 3-25, and in the Claims as originally filed.

Claim 5 has been cancelled without prejudice. The subject matter of Claim 5 has been incorporated into Claim 1, as amended.

Claim 6 has been amended to change its dependency to Claim 1, as amended.

Claim 13 has been amended to be consistent with Claim 11, as amended.

It is believed these changes do not involve any introduction of new matter. Consequently, entry of these changes is believed to be in order and is respectfully requested.

Claims 1-4 and 6-22, as amended, are pending in the present application. No additional claims fee is believed to be due.

Rejection Under 35 USC §§102/103 Over U.S. Patent No. 6,861,380 B2

Claims 1-3, 5-20 and 22 are rejected by the Examiner under 35 USC 102(e) as allegedly being anticipated by or, in the alternative, under 35 USC 103(a) as allegedly defining obvious subject matter over U.S. Patent No. 6,861,380 B2 to Garnier et al. ("Garnier"). The Examiner asserts that Garnier teaches a method of making multilayered paper webs in which the web is formed by at least one layer of a blend of synthetic and cellulosic fiber pulps and one layer of long hardwood cellulosic fibers.

Applicants respectfully submit that Garnier fails to teach each and every element of Claims 1, 11 and 22, as amended, because Garnier fails to teach a method of making a

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multilayered paper web wherein at least some of the synthetic fibers within one of its layers are redistributed. Accordingly, Applicants respectfully submit that Claims 1, 11 and 22, as amended, are not anticipated by nor rendered obvious over Garnier. Further, Applicants submit that Claims 2-3, 6-10 and 12-20, as amended, are not anticipated by nor rendered obvious over Garnier because Claims 2-3 and 6-10, as amended, ultimately depend from Claim 1, as amended, and Claims 12-20, as amended, ultimately depend from Claim 11, as amended. MPEP 2143.03.

Rejection Under 35 USC §103 Over U.S. Patent No. 6,861,380 B2

in view of U.S. Patent No. 5,409,572 or U.S. Patent No. 5,405,499

Claims 4 and 21 are rejected by the Examiner under 35 USC 103(a) as allegedly defining obvious subject matter over Garnier, discussed above, in view of U.S. Patent No. 5,409,572 to Kershaw et al. ("Kershaw") or U.S. Patent No. 5,405,499 to Vinson ("Vinson"). The Examiner recognizes that Garnier fails to teach the coarseness of its short fibers. The Examiner attempts to combine the teachings of Kershaw and/or Vinson, which according to the Examiner teach the claimed coarseness of the short fibers.

Applicants respectfully submit that Claims 4 and 21, which ultimately depend from Claims 1 and 11, as amended, are not rendered obvious over the combined teachings of Garnier, Kershaw and/or Vinson for the same reasons that Claims 1 and 11, as amended, are not anticipated by nor rendered obvious over the teachings of Garnier. MPEP 2143.03.

Rejection Under 35 USC §103 Over U.S. Patent No. 6,861,380 B2

in view of Applicants' Admission

Claims 11-20 and 22 are rejected by the Examiner under 35 USC 103(a) as allegedly defining obvious subject matter over Garnier, discussed above, in view of Applicants' Admission. The Examiner asserts that Garnier teaches that forming members similar to the forming members disclosed can be used to form its tissue web. The Examiner states that since Applicants admit that such forming members are well known in the art. Therefore, the Examiner concludes that using a channeled forming wire/fabric/felt/belt would have been obvious to one of ordinary skill in the art since

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he/she would have a reasonable expectation of success if such forming wire/fabric/felt/belt were used to form the tissue suggested by Garnier.

Applicants respectfully submit that Claims 11 and 22, as amended, the independent claims, are not rendered obvious over Garnier in view of Applicants' Admission for the same reasons that Claims 11 and 22, as amended, are not anticipated by nor rendered obvious over Garnier. Further, Applicants submit that Claims 12-20, as amended, which ultimately depend from Claim 11, as amended, are not rendered obvious over Garnier in view of Applicants' Admission. MPEP 2143.03.

Conclusion

This response represents an earnest effort to place the present application in proper form and to distinguish the invention as claimed from the applied reference(s). In view of the foregoing, entry of the amendment(s) presented herein, reconsideration of this application, and allowance of the pending claim(s) are respectfully requested.

Respectfully submitted,

THE PROCTER & GAMBLE COMPANY

By



Signature

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